

# **SHOREVIEW PLANNING COMMISSION MEETING MINUTES**

**June 24, 2008**

## **CALL TO ORDER**

Chair Feldsien called the meeting of the June 24, 2008 Shoreview Planning Commission meeting to order at 7:00 p.m.

## **ROLL CALL**

The following members were present: Chair Feldsien, Commissioners Ferrington, Mons, Proud, Schumer, Solomonson and Wenner

## **APPROVAL OF AGENDA**

MOTION: by Commissioner Schumer, seconded by Commissioner Ferrington to approve the June 24, 2008 agenda as submitted.

ROLL CALL: Ayes - 7 Nays - 0

## **APPROVAL OF MINUTES**

Commissioner Ferrington noted the following changes:

- Page 5: The last sentence of the second paragraph should refer to a six-foot privacy fence, not a chain link fence.
- Page 19: Commissioner Ferrington's name was misspelled Farrington and should be corrected.

MOTION: by Commissioner Schumer, seconded by Commissioner Solomonson to accept the May 27, 2008 Planning Commission meeting minutes as amended.

ROLL CALL: Ayes - 6 Nays - 0 Abstain - 1 (Wenner)

Commissioner Wenner abstained as he was not present at the meeting.

## **REPORT ON CITY COUNCIL ACTIONS**

City Planner Kathleen Nordine reported that at the June 2<sup>nd</sup> meeting the City Council approved:

- Site and building plan for Azure Properties and
- Text amendment to Section 203 regarding the Comprehensive Plan review process.

At the June 16<sup>th</sup> meeting Ben Withhart was appointed as the interim Councilmember. Also, the following were approved:

- Subdivisions for Phillip and Karen Saari, 3374 Owasso Street;
- Subdivision for Steve Bordewick, 5868 Hamline Avenue;
- Plat and grading plan for the Nardini application;
- The Council approved the establishment of an Economic Development Authority, a mechanism that can be used to further the City's housing, redevelopment and business expansion/retention goals.

**NEW BUSINESS****MINOR SUBDIVISION**

**FILE NO.: 2323-08-20**  
**APPLICANT: BRYAN SWACKHAMER/ROTTLUND HOMES**  
**LOCATION: 5597 & 5603 SHELDON STREET**

**Presentation by Senior Planner Rob Warwick**

This application is to adjust the side lot line separating the properties at 5597 and 5603 Sheldon Street. The house at 5597 was not constructed according to the approved plan in 1982-83, and approximately 11.5 feet of living area encroaches into the property at 5603. There were no minimum lot standards approved for this zero lot line PUD. Many homes in this area were developed on properties consisting of 5,000 to 7,000 square feet. The affected lot line is a zero lot line for the house at 5597, and the proposed adjustment will address the encroachment. The adjusted lot line will maintain a minimum 3-foot setback to the living area of 5597, which was required by the Building Code at the time of construction. The existing deck at 5603 has a setback of 0.2 feet. The side use easement will allow the owner at 5603 to use area up to the house wall of 5597, as is typical in this development. Existing easements applying to the existing common property line must be vacated and replaced with similar easements that reflect the new boundary.

Property owners within 350 feet were notified of the proposed change. No comments were received.

As the encroachment will be addressed, staff is recommending approval.

Chair Feldsien asked if the City Attorney has reviewed this matter. Mr. Warwick stated that the documents for replacement easements are being drawn up and will be reviewed by the City Attorney.

Commissioner Proud asked if there are similar property line issues on other properties in this area. Mr. Warwick stated that none others have been identified. Commissioner Proud suggested that Rottlund Homes address any other property line issues at this same time.

**Mr. Michael Noonan**, Rottlund Homes, stated that when the houses were built, they were not staked by a surveyor and this is how the error occurred. GPS maps have been studied and this is

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the only error discovered. The error was only discovered with Mrs. Roberts' application for an addition. Rottlund Homes is standing behind the problem and is pleased to be able to make the change and correct the error.

MOTION: by Commissioner Mons, seconded by Commissioner Proud to recommend the City Council of the minor subdivision application submitted by Rottlund Homes for 5597 and 5603 Sheldon Street, subject to the following conditions:

1. The minor subdivision shall be in accordance with the plans submitted.
2. The existing private easements applying to the common side yard, special exterior wall and easements of encroachment shall be vacated and replaced with new private easements that reflect the adjusted boundary. These easements shall be subject to the approval of the City Attorney and conveyed before the City will endorse deeds for recording with Ramsey County.
3. This approval shall expire after one year if the subdivision has not been recorded with Ramsey County.

The recommendation for approval of the Minor Subdivision is based on the following findings of fact:

1. The proposed lots conform to the approved PUD of the Villas of North Point.
2. Municipal water and sanitary sewer service are each of the existing residences.
3. The boundary line adjustment will cure the encroachment that has existed since the construction of the house at 5597 in 1983.

ROLL CALL: Ayes - 7 Nays - 0

**MISCELLANEOUS**

Commissioners Mons and Solomonson will respectively attend the July 7<sup>th</sup> and July 21<sup>st</sup> City Council meetings.

**ADJOURNMENT**

MOTION: by Commissioner Solomonson, seconded by Commissioner Wenner to adjourn the June 24, 2008 Planning Commission meeting at 7:25 p.m.

ROLL CALL: Ayes - 7 Nays - 0

ATTEST:

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Kathleen Nordine  
City Planner